REMARKS

In the present Amendment, claim 1 has been amended to recite that a hydrochloric acid-trapping compound is at least one epoxy compound selected from the group consisting of an epoxidized vegetable oil and an epoxidized fatty acid ester. Section 112 support for this amendment may be found, for example, at page 12, lines 18-19 of the specification.

Claim 2 has been amended to recite that the hydrochloric acid-trapping compound is a combination of an epoxy compound with a weakly basic compound. Section 112 support for this amendment may be found, for example, at page 12, lines 15-17 of the specification.

Claim 3 has been cancelled without prejudice or disclaimer.

Claim 4 has been amended to correct its dependency in view of the cancellation of claim 3.

Claim 8 has been amended to recite that the aqueous dispersion contains a surfactant wherein all of the surfactant present in the aqueous dispersion consists of a nonionic surfactant. Section 112 support for this amendment may be found, for example, in paragraph [0029] at page 14 of the specification.

Claim 11 has been amended to improve its form.

No new matter has been added, and entry of the Amendment is respectfully requested.

Upon entry of the Amendment, claims 1-2 and 4-11 will be pending.

In paragraph No. 1 of the Office Action, claim 8 is objected to as allegedly not clearly setting forth the composition of the aqueous dispersion relative to the surfactant component.

As noted, claim 8 has been amended to address the Examiner's concern. Accordingly, reconsideration and withdrawal of the objection of claim 8 are respectfully requested.

In paragraph No. 3 of the Office Action, claim 11 is rejected under 35 U.S.C. § 112 as allegedly being indefinite.

In paragraph No. 4 of the Office Action, claim 11 is rejected under 35 U.S.C. § 101 as allegedly failing to claim a class of invention recognized by the patent statute.

As noted, claim 11 has been amended to address the Examiner's concerns. Accordingly, reconsideration and withdrawal of the § 112 and § 101 rejections of claim 11 are respectfully requested.

In paragraph No. 7 of the Office Action, claims 1-5, 7-8, 10 and 11 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,472,019 to Yamaguchi et al in view of U.S. Patent No. 2,684,353 to Greenspan et al.

Applicants submit that this rejection should be withdrawn because Yamaguchi et al and Greenspan et al do not disclose or render obvious the aqueous water- and oil-repellent dispersion or the textile or the method of treating a textile of the present invention, either alone or in combination.

Yamaguchi et al is cited as disclosing an aqueous water- and oil-repellent dispersion and treated textile which allegedly meet the terms of the present claims, except for the claimed hydrochloric acid-trapping compound component of the dispersion.

Greenspan et al is relied upon as teaching the claimed hydrochloric acid-trapping compound.

In the present invention, the hydrochloric acid-trapping compound is an epoxidized vegetable oil and/or an epoxidized fatty acid ester. The epoxidized vegetable oil and the epoxidized fatty acid ester give high dispersion effect to the fluorine-containing aqueous

dispersion. The epoxidized vegetable oil and the epoxidized fatty acid ester can act as a surfactant which sufficiently disperses a fluorine-containing polymer in water.

Greenspan et al disclose metal salt of epoxy acids (col. 2, line 31). The metal salt of epoxy acids has a dispersion effect which is poor for the fluorine-containing aqueous dispersion. Cadmium epoxy stearate, strontium epoxy stearate, lead epoxy stearate, cadmium salt of epoxidized acids of cotton-seed oil, cadmium salt of epoxidized acids of soybean oil, strontium salt of epoxidized acids of soybean oil and barium salt of epoxidized acids of soybean oil recited in column 4, lines 9-16 of Greenspan et al give low stability to the fluorine-containing aqueous emulsion. Cadmium salt of epoxidized acids of soybean oil, strontium salt of epoxidized acids of soybean oil and barium salt of epoxidized acids of soybean oil are different from the epoxidized vegetable oil defined in the present claims.

In addition, Greenspan et al mainly relates to a vinyl chloride polymer. The aqueous dispersion of the vinyl chloride polymer has a dispersion property different from the dispersion property of the fluorine-containing polymer employed in the present invention. Even if a certain material can give sufficient dispersion property to an aqueous dispersion of vinyl chloride polymer, said material does not necessarily give sufficient dispersion property to an aqueous dispersion of fluorine-containing polymer. The epoxidized vegetable oil and the epoxidized fatty acid ester give sufficient dispersion property to the aqueous dispersion of fluorine-containing polymer.

Accordingly, Greenspan et al does not make up for the deficiencies of Yamaguchi et al.

In view of the above, reconsideration and withdrawal of the § 103(a) rejection of claims 1-5, 7-8, 10 and 11 based on Yamaguchi et al in view of Greenspan et al are respectfully requested.

In paragraph No. 8 of the Office Action, claims 1-8, 10 and 11 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Yamaguchi et al in view of U.S. Patent No. 3,496,134 to Di Giaimo.

Applicants submit that this rejection should be withdrawn because Yamaguchi et al and Di Giaimo do not disclose or render obvious the aqueous water- and oil-repellent dispersion or the textile or the method of treating a textile of the present invention, either alone or in combination.

Di Giaimo at column 2, lines 59-63, discloses organo-tin compounds (such as dibutyl tin dimaleate) and cadmium or barium salts (such as barium stearate). Di Giaimo has two main differences from the present invention. Firstly, Di Giaimo relates to a solid polymer which is different from the aqueous dispersion directed to the present invention. Secondly, the organo-tin compound and the cadmium or barium salts have the dispersion effect which is poor for the fluorine-containing aqueous dispersion.

In addition, Di Giaimo relates to a vinyl chloride polymer. The aqueous dispersion of the vinyl chloride polymer has a dispersion property different from the dispersion property of the fluorine-containing polymer employed in the present invention. Even if a certain material can give sufficient dispersion property to an aqueous dispersion of vinyl chloride polymer, said material does not necessarily give sufficient dispersion property to an aqueous dispersion of fluorine-containing polymer. The epoxidized vegetable oil and the epoxidized fatty acid ester can give sufficient dispersion property to the aqueous dispersion of fluorine-containing polymer.

Accordingly, Di Giaimo does not make up for the deficiencies of Yamaguchi et al.

In view of the above, reconsideration and withdrawal of the § 103(a) rejection of claims 1-8, 10 and 11 based on Yamaguchi et al in view of Di Giaimo are respectfully requested.

In paragraph No. 9 of the Office Action, claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamaguchi et al in view of Greenspan et al or Yamaguchi et al in view of Di Giaimo independently, and further in view of U.S. Patent No. 3,617,188 to Snyder.

Applicants submit that claim 9 is patentable over Yamaguchi et al in view of Greenspan et al or Yamaguchi et al in view of Di Giaimo, and further in view of Snyder, for at least the same reasons that claims 1 and 8 are patentable over the cited references, and for additional reasons set forth below.

Unlike the treatment liquid of Yamaguchi et al and that of the present invention, the treatment liquid of Snyder is not based on a fluorine-containing copolymer. Although Snyder teaches that a blend of different nonionic emulsifiers are useful in promoting stability of a mineral oil emulsion, this disclosure would not lead one of ordinary skill to employ a blend of nonionic emulsifiers in the fluorine-containing copolymer based treatment liquid of Yamaguchi et al (or that of the present invention). Particularly, there is no reasonable expectation of promoting stability of a treatment liquid based on a fluorine-containing copolymer in view of stability obtained for a mineral oil emulsion.

Yamaguchi et al does not even mention "mineral oil."

In view of the above, reconsideration and withdrawal of the § 103(a) rejection of claim 9 based on Yamaguchi et al in view of Greenspan et al or Yamaguchi et al in view of Di Giaimo independently, and further in view of Snyder are respectfully requested.

Allowance is respectfully requested. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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